

has served as general counsel of the Committee.

As deputy chief counsel, Karen led several major Committee investigations, including investigations into the Department of Energy's management of the Loan Guarantee Program, including a failed loan guarantee to Solyndra; the stimulus bill, American Recovery and Reinvestment Act; cyber security and critical infrastructure, including an investigation of Huawei Technologies; and the Federal Communications Commission's handling of a license application from LightSquared.

As chief counsel, she led the Committee's investigations into General Motors ignition switch safety failures; the implementation of the Patient Protection and Affordable Care Act, including the failure of HealthCare.gov; the fungal meningitis outbreak due to contaminated drugs; mental health care and treatment, including federal programs related mental health and serious mental illness; the opioid addiction epidemic; and the Environmental Protection Agency's consideration of carbon capture technologies in developing greenhouse gas emissions standards for new power plants.

And as general counsel, Karen has been responsible for overseeing and managing the legislative process for the entire Committee—that includes a 27-hour, marathon markup in March 2017 and regularly battling to preserve the Committee's jurisdiction.

By every measure, Karen's time at the Committee has been a complete success. While we are sad to lose our friend, we look forward to seeing her next accomplishments.

Karen, we wish you and your family—Dave, Christian, Andrew, and Charlotte the very best. We thank you for your service, your hard work, your guidance, and most of all your friendship. Your work made a difference . . . America is better because of your efforts.

Thank you and remember—at Energy and Commerce, the fun never stops.

Mr. TONKO. Mr. Speaker, to Karen, from this side of the aisle, I wish her well, too. It was enjoyable working with her, and I look forward to working with the Members of the other side of the aisle in the 116th Congress on this issue and others.

Mr. Speaker, we have no further speakers, so I will close saying that I am concerned about the loosely defined language in this bill. I am concerned about the attacks on the Clean Air Act that are so important to all Americans.

Mr. Speaker, I yield back the balance of my time.

Mr. SHIMKUS. Mr. Speaker, I will just continue to respond to what the chairman said.

I think if we are going to err, we ought to err on the health and safety of Alaskans. I hope my colleagues will join us. I look forward to working with them in the next Congress?

Mr. Speaker, I yield back the balance of my time.

Ms. MCCOLLUM. Mr. Speaker, I rise in opposition to S. 1934, a bill that would roll back standards under the Clean Air Act (CAA) for diesel generating units in "remote areas" of Alaska. I understand the motivation behind this bill, but it could set a precedent for weakening existing New Source Performance Standards for diesel generators not just in Alaska, but across the United States.

I am committed to finding ways to help Alaskans in remote areas have affordable electricity while maintain health protections. Congress should tackle this issue with an open debate through regular order.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. SHIMKUS) that the House suspend the rules and pass the bill, S. 1934.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. TONKO. Mr. Speaker, on that, I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

NATHANIEL P. REED HOBE SOUND NATIONAL WILDLIFE REFUGE

Mr. MCCLINTOCK. Mr. Speaker, I move to suspend the rules and pass the bill (S. 3456) to redesignate Hobe Sound National Wildlife Refuge as the Nathaniel P. Reed Hobe Sound National Wildlife Refuge, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 3456

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. REDESIGNATION OF THE HOBE SOUND NATIONAL WILDLIFE REFUGE.

(a) REDESIGNATION.—The Hobe Sound National Wildlife Refuge, located in the State of Florida, is redesignated as the "Nathaniel P. Reed Hobe Sound National Wildlife Refuge".

(b) REFERENCES.—Any reference in any statute, rule, regulation, Executive order, publication, map, paper, or other document of the United States to the Hobe Sound National Wildlife Refuge is deemed to refer to the Nathaniel P. Reed Hobe Sound National Wildlife Refuge.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. MCCLINTOCK) and the gentleman from Arizona (Mr. GRIJALVA) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. MCCLINTOCK. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous materials on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. MCCLINTOCK. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, S. 3456 would rename the Hobe Sound National Wildlife Refuge, located in southeast Florida, after Nathaniel P. Reed, who passed away on July 11, 2018, at the age of 84.

Nathaniel P. Reed was a prominent conservationist who served as an As-

sistant Secretary of the Interior from 1971 to 1977 and later returned to Florida to form an advocacy group to help preserve and restore the Everglades. He also joined forces with former Senator Bob Graham to launch the Florida Conservation Coalition.

Renaming the Hobe Sound National Wildlife Refuge, which is located near his home in Florida, in honor of Nathaniel P. Reed is a tribute to his legacy of conservation and public land stewardship.

Mr. Speaker, I urge adoption of the measure, and I reserve the balance of my time.

Mr. GRIJALVA. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this bill redesignates the Hobe Sound National Wildlife Refuge in southern Florida as Nathaniel P. Reed Hobe Sound National Wildlife Refuge.

We concur with the gentleman, the majority, Mr. MCCLINTOCK, on this issue. I ask all Members to please vote in favor of the resolution. It is a fitting tribute to a former Interior Department official who helped develop the Endangered Species Act and the Clean Water Act. It is a fitting tribute, and I urge its passage.

Mr. Speaker, I yield back the balance of my time.

Mr. MCCLINTOCK. Mr. Speaker, I urge adoption of the measure, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. MCCLINTOCK) that the House suspend the rules and pass the bill, S. 3456.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. MASSIE. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

SPACE FRONTIER ACT OF 2019

Mr. SMITH of Texas. Mr. Speaker, I move to suspend the rules and pass the bill (S. 3277) to reduce regulatory burdens and streamline processes related to commercial space activities, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 3277

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Space Frontier Act of 2019".

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Definitions.

TITLE I—STREAMLINING OVERSIGHT OF LAUNCH AND REENTRY ACTIVITIES

Sec. 101. Office of Commercial Space Transportation.

- Sec. 102. Use of existing authorities.
- Sec. 103. Experimental permits.
- Sec. 104. Space-related advisory rulemaking committees.
- Sec. 105. Government-developed space technology.
- Sec. 106. Regulatory reform.
- Sec. 107. Secretary of Transportation oversight and coordination of commercial launch and reentry operations.
- Sec. 108. Study on joint use of spaceports.
- Sec. 109. Airspace integration report.

TITLE II—STREAMLINING OVERSIGHT OF NONGOVERNMENTAL EARTH OBSERVATION ACTIVITIES

- Sec. 201. Nongovernmental Earth observation activities.
- Sec. 202. Radio-frequency mapping report.

TITLE III—MISCELLANEOUS

- Sec. 301. Promoting fairness and competitiveness for NASA partnership opportunities.
- Sec. 302. Lease of non-excess property.
- Sec. 303. Maintaining a national laboratory in space.
- Sec. 304. Presence in low-Earth orbit.
- Sec. 305. Continuation of the ISS.
- Sec. 306. United States policy on orbital debris.
- Sec. 307. Low-Earth orbit commercialization program.
- Sec. 308. Bureau of Space Commerce.

SEC. 2. DEFINITIONS.

In this Act:

- (1) ISS.—The term “ISS” means the International Space Station.
- (2) NASA.—The term “NASA” means the National Aeronautics and Space Administration.
- (3) NOAA.—The term “NOAA” means the National Oceanic and Atmospheric Administration.

TITLE I—STREAMLINING OVERSIGHT OF LAUNCH AND REENTRY ACTIVITIES

SEC. 101. OFFICE OF COMMERCIAL SPACE TRANSPORTATION.

(a) IN GENERAL.—Section 50921 of title 51, United States Code, is amended—

(1) by inserting “(b) AUTHORIZATION OF APPROPRIATIONS.—” before “There” and indenting appropriately; and

(2) by inserting before subsection (b), the following:

“(a) ASSOCIATE ADMINISTRATOR FOR COMMERCIAL SPACE TRANSPORTATION.—The Assistant Secretary for Commercial Space Transportation shall serve as the Associate Administrator for Commercial Space Transportation.”.

(b) ESTABLISHMENT OF ASSISTANT SECRETARY FOR COMMERCIAL SPACE TRANSPORTATION.—Section 102(e)(1) of title 49, United States Code, is amended—

(1) in the matter preceding subparagraph (A), by striking “6” and inserting “7”; and

(2) in subparagraph (A), by inserting “Assistant Secretary for Commercial Space Transportation,” after “Assistant Secretary for Research and Technology,”.

SEC. 102. USE OF EXISTING AUTHORITIES.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary of Transportation should make use of existing authorities, including waivers and safety approvals, as appropriate, to protect the public, make more efficient use of resources, reduce the regulatory burden for an applicant for a commercial space launch or reentry license or experimental permit, and promote commercial space launch and reentry.

(b) LICENSE APPLICATIONS AND REQUIREMENTS.—Section 50905 of title 51, United States Code, is amended—

(1) in subsection (a)—

(A) by amending paragraph (1) to read as follows:

“(1) IN GENERAL.—

“(A) APPLICATIONS.—A person may apply to the Secretary of Transportation for a license or transfer of a license under this chapter in the form and way the Secretary prescribes.

“(B) DECISIONS.—Consistent with the public health and safety, safety of property, and national security and foreign policy interests of the United States, the Secretary, not later than the applicable deadline described in subparagraph (C), shall issue or transfer a license if the Secretary decides in writing that the applicant complies, and will continue to comply, with this chapter and regulations prescribed under this chapter.

“(C) APPLICABLE DEADLINE.—The applicable deadline described in this subparagraph shall be—

“(i) for an applicant that was or is a holder of any license under this chapter, not later than 90 days after accepting an application in accordance with criteria established pursuant to subsection (b)(2)(E); and

“(ii) for a new applicant, not later than 180 days after accepting an application in accordance with criteria established pursuant to subsection (b)(2)(E).

“(D) NOTICE TO APPLICANTS.—The Secretary shall inform the applicant of any pending issue and action required to resolve the issue if the Secretary has not made a decision not later than—

“(i) for an applicant described in subparagraph (C)(i), 60 days after accepting an application in accordance with criteria established pursuant to subsection (b)(2)(E); and

“(ii) for an applicant described in subparagraph (C)(ii), 120 days after accepting an application in accordance with criteria established pursuant to subsection (b)(2)(E).

“(E) NOTICE TO CONGRESS.—The Secretary shall transmit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives a written notice not later than 30 days after any occurrence when the Secretary has not taken action on a license application within an applicable deadline established by this subsection.”; and

(B) in paragraph (2)—

(i) by inserting “PROCEDURES FOR SAFETY APPROVALS.—” before “In carrying out”; and

(ii) by inserting “software,” after “services,”; and

(iii) by adding at the end the following: “Such safety approvals may be issued simultaneously with a license under this chapter.”; and

(2) by adding at the end the following:

“(e) USE OF EXISTING AUTHORITIES.—

“(1) IN GENERAL.—The Secretary shall use existing authorities, including waivers and safety approvals, as appropriate, to make more efficient use of resources, reduce the regulatory burden for an applicant under this section, and promote commercial space launch and reentry.

“(2) EXPEDITING SAFETY APPROVALS.—The Secretary shall expedite the processing of safety approvals that would reduce risks to health or safety during launch and reentry.”.

(c) RESTRICTIONS ON LAUNCHES, OPERATIONS, AND REENTRIES.—Section 50904 of title 51, United States Code, is amended by adding at the end the following:

“(e) MULTIPLE SITES.—The Secretary may issue a single license or permit for an operator to conduct launch services and reentry services at multiple launch sites or reentry sites.”.

SEC. 103. EXPERIMENTAL PERMITS.

Section 50906 of title 51, United States Code, is amended by adding at the end the following:

“(j) USE OF EXISTING AUTHORITIES.—

“(1) IN GENERAL.—The Secretary shall use existing authorities, including waivers and safety approvals, as appropriate, to make more efficient use of resources, reduce the regulatory burden for an applicant under this section, and promote commercial space launch and reentry.

“(2) EXPEDITING SAFETY APPROVALS.—The Secretary shall expedite the processing of safety approvals that would reduce risks to health or safety during launch and reentry.”.

SEC. 104. SPACE-RELATED ADVISORY RULEMAKING COMMITTEES.

Section 50903 of title 51, United States Code, is amended by adding at the end the following:

“(e) FACA.—The Federal Advisory Committee Act (5 U.S.C. App.) does not apply to such space-related rulemaking committees under the Secretary’s jurisdiction as the Secretary shall designate.”.

SEC. 105. GOVERNMENT-DEVELOPED SPACE TECHNOLOGY.

Section 50901(b)(2)(B) of title 51, United States Code, is amended by striking “and encouraging”.

SEC. 106. REGULATORY REFORM.

(a) DEFINITIONS.—The definitions set forth in section 50902 of title 51, United States Code, shall apply to this section.

(b) FINDINGS.—Congress finds that the commercial space launch regulatory environment has at times impeded the United States commercial space launch sector in its innovation of launch technologies, reusable launch and reentry vehicles, and other areas related to commercial launches and reentries.

(c) REGULATORY IMPROVEMENTS FOR COMMERCIAL SPACE LAUNCH ACTIVITIES.—

(1) IN GENERAL.—Not later than February 1, 2019, the Secretary of Transportation shall issue a notice of proposed rulemaking to revise any regulations under chapter 509, United States Code, as the Secretary considers necessary to meet the objective of this section.

(2) OBJECTIVE.—The objective of this section is to establish, consistent with the purposes described in section 50901(b) of title 51, United States Code, a regulatory regime for commercial space launch activities under chapter 509 that—

(A) creates, to the extent practicable, requirements applicable both to expendable launch and reentry vehicles and to reusable launch and reentry vehicles;

(B) is neutral with regard to the specific technology utilized in a launch, a reentry, or an associated safety system;

(C) protects the health and safety of the public;

(D) establishes clear, high-level performance requirements;

(E) encourages voluntary, industry technical standards that complement the high-level performance requirements established under subparagraph (D); and

(F) facilitates and encourages appropriate collaboration between the commercial space launch and reentry sector and the Department of Transportation with respect to the requirements under subparagraph (D) and the standards under subparagraph (E).

(d) CONSULTATION.—In revising the regulations under subsection (c), the Secretary of Transportation shall consult with the following:

(1) Secretary of Defense.

(2) Administrator of NASA.

(3) Such members of the commercial space launch and reentry sector as the Secretary of Transportation considers appropriate to ensure adequate representation across industry.

(e) REPORT.—

(1) IN GENERAL.—Not later than 60 days after the date of enactment of this Act, the

Secretary of Transportation, in consultation with the persons described in subsection (d), shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology and the Committee on Transportation and Infrastructure of the House of Representatives a report on the progress in carrying out this section.

(2) **CONTENTS.**—The report shall include—

(A) milestones and a schedule to meet the objective of this section;

(B) a description of any Federal agency resources necessary to meet the objective of this section;

(C) recommendations for legislation that would expedite or improve the outcomes under subsection (c); and

(D) a plan for ongoing consultation with the persons described in subsection (d).

SEC. 107. SECRETARY OF TRANSPORTATION OVERSIGHT AND COORDINATION OF COMMERCIAL LAUNCH AND REENTRY OPERATIONS.

(a) **OVERSIGHT AND COORDINATION.**—

(1) **IN GENERAL.**—The Secretary of Transportation, in accordance with the findings under section 1617 of the National Defense Authorization Act for Fiscal Year 2016 (51 U.S.C. 50918 note) and subject to section 50905(b)(2)(C) of title 51, United States Code, shall take such action as may be necessary to consolidate or modify the requirements across Federal agencies identified in section 1617(c)(1)(A) of that Act into a single application set that satisfies those requirements and expedites the coordination of commercial launch and reentry services.

(2) **CHAPTER 509.**—

(A) **PURPOSES.**—Section 50901 of title 51, United States Code, is amended by inserting “all” before “commercial launch and reentry operations”.

(B) **GENERAL AUTHORITY.**—Section 50903(b) of title 51, United States Code, is amended—

(i) by redesignating paragraphs (1) and (2) as paragraphs (3) and (4), respectively; and

(ii) by inserting before paragraph (3), as redesignated, the following:

“(1) consistent with this chapter, authorize, license, and oversee the conduct of all commercial launch and reentry operations, including any commercial launch or commercial reentry at a Federal range;

“(2) if an application for a license or permit under this chapter includes launch or reentry at a Defense range, coordinate with the Secretary of Defense, or designee, to protect any national security interest relevant to such activity, including any necessary mitigation measure to protect Department of Defense property and personnel;”

(3) **EFFECTIVE DATE.**—This subsection takes effect on the date the final rule under section 107(c) of this Act is published in the Federal Register.

(b) **RULES OF CONSTRUCTION.**—Nothing in this Act, or the amendments made by this Act, may be construed to affect—

(1) section 1617 of the National Defense Authorization Act for Fiscal Year 2016 (51 U.S.C. 50918 note); or

(2) the authority of the Secretary of Defense as it relates to safety and security related to launch or reentry at a Defense range.

(c) **TECHNICAL AMENDMENT; REPEAL REDUNDANT LAW.**—Section 113 of the U.S. Commercial Space Launch Competitiveness Act (Public Law 114-90; 129 Stat. 704) and the item relating to that section in the table of contents under section 1(b) of that Act are repealed.

SEC. 108. STUDY ON JOINT USE OF SPACEPORTS.

(a) **IN GENERAL.**—Not later than 180 days after the date of enactment of this Act—

(1) the Secretary of Transportation shall, in consultation with the Secretary of De-

fense, conduct a study of the current process the Government uses to provide or permit the joint use of United States military installations for licensed nongovernmental space launch and reentry activities, space-related activities, and space transportation services by United States commercial providers; and

(2) submit the results of the study to the Committee on Commerce, Science, and Transportation and the Committee on Armed Services of the Senate and the Committee on Science, Space, and Technology and the Committee on Armed Services of the House of Representatives.

(b) **CONSIDERATIONS.**—In conducting the study required by subsection (a), the Secretary of Transportation shall consider the following:

(1) Improvements that could be made to the current process the Government uses to provide or permit the joint use of United States military installations for licensed nongovernmental space launch and reentry activities, space-related activities, and space transportation services by United States commercial providers.

(2) Means to facilitate the ability for a military installation to request that the Secretary of Transportation consider the military installation as a site to provide or permit the licensed nongovernmental space launch and reentry activities, space-related activities, and space transportation services by United States commercial providers.

(3) The feasibility of increasing the number of military installations that provide or are permitted to be utilized for licensed nongovernmental space launch and reentry activities, space-related activities, and space transportation services by United States commercial providers.

(4) The importance of the use of safety approvals of launch vehicles, reentry vehicles, space transportation vehicles, safety systems, processes, services, or personnel (including approval procedures for the purpose of protecting the health and safety of crew, Government astronauts, and space flight participants), to the extent permitted that may be used in conducting licensed commercial space launch, reentry activities, and space transportation services at installations.

SEC. 109. AIRSPACE INTEGRATION REPORT.

(a) **IN GENERAL.**—Not later than 90 days after the date of enactment of this Act, the Secretary of Transportation shall—

(1) identify and review the current policies and tools used to integrate launch and reentry (as those terms are defined in section 50902 of title 51, United States Code) into the national airspace system;

(2) consider whether the policies and tools identified in paragraph (1) need to be updated to more efficiently and safely manage the national airspace system; and

(3) submit to the appropriate committees of Congress a report on the findings under paragraphs (1) and (2), including recommendations for how to more efficiently and safely manage the national airspace system.

(b) **CONSULTATION.**—In conducting the review under subsection (a), the Secretary shall consult with such members of the commercial space launch and reentry sector and commercial aviation sector as the Secretary considers appropriate to ensure adequate representation across those industries.

(c) **DEFINITION OF APPROPRIATE COMMITTEES OF CONGRESS.**—In this section, the term “appropriate committees of Congress” means—

(1) the Committee on Commerce, Science, and Transportation of the Senate;

(2) the Committee on Science, Space, and Technology of the House of Representatives; and

(3) the Committee on Transportation and Infrastructure of the House of Representatives.

TITLE II—STREAMLINING OVERSIGHT OF NONGOVERNMENTAL EARTH OBSERVATION ACTIVITIES

SEC. 201. NONGOVERNMENTAL EARTH OBSERVATION ACTIVITIES.

(a) **LICENSING OF NONGOVERNMENTAL EARTH OBSERVATION ACTIVITIES.**—Chapter 601 of title 51, United States Code, is amended—

(1) in section 60101—

(A) by amending paragraph (12) to read as follows:

“(12) **UNENHANCED DATA.**—The term ‘unenhanced data’ means signals or imagery products from Earth observation activities that are unprocessed or subject only to data preprocessing.”;

(B) by redesignating paragraphs (12) and (13) as paragraphs (18) and (19), respectively;

(C) by redesignating paragraph (11) as paragraph (15);

(D) by redesignating paragraphs (4) through (10) as paragraphs (5) through (11), respectively;

(E) by inserting after paragraph (3), the following:

“(4) **EARTH OBSERVATION ACTIVITY.**—The term ‘Earth observation activity’ means a space activity the primary purpose of which is to collect data that can be processed into imagery of the Earth or of man-made objects orbiting the Earth.”;

(F) by inserting after paragraph (11), as redesignated, the following:

“(12) **NONGOVERNMENTAL EARTH OBSERVATION ACTIVITY.**—The term ‘nongovernmental Earth observation activity’ means an Earth observation activity of a person other than—

“(A) the United States Government; or

“(B) a Government contractor or subcontractor if the Government contractor or subcontractor is performing the activity for the Government.

“(13) **ORBITAL DEBRIS.**—The term ‘orbital debris’ means any space object that is placed in space or derives from a space object placed in space by a person, remains in orbit, and no longer serves any useful function or purpose.

“(14) **PERSON.**—The term ‘person’ means a person (as defined in section 1 of title 1) subject to the jurisdiction or control of the United States.”; and

(G) by inserting after paragraph (15), as redesignated, the following:

“(16) **SPACE ACTIVITY.**—

“(A) **IN GENERAL.**—The term ‘space activity’ means any activity that is conducted in space.

“(B) **INCLUSIONS.**—The term ‘space activity’ includes any activity conducted on a celestial body, including the Moon.

“(C) **EXCLUSIONS.**—The term ‘space activity’ does not include any activity that is conducted entirely on board or within a space object and does not affect another space object.

“(17) **SPACE OBJECT.**—The term ‘space object’ means any object, including any component of that object, that is launched into space or constructed in space, including any object landed or constructed on a celestial body, including the Moon.”;

(2) by amending subchapter III to read as follows:

“SUBCHAPTER III—AUTHORIZATION OF NONGOVERNMENTAL EARTH OBSERVATION ACTIVITIES

“§ 60121. Purposes

“The purposes of this subchapter are—

“(1) to prevent, to the extent practicable, harmful interference to space activities by nongovernmental Earth observation activities;

“(2) to manage risk and prevent harm to United States national security;

“(3) to ensure consistency with international obligations of the United States; and

“(4) to promote the leadership, industrial innovation, and international competitiveness of the United States.

“§ 60122. General authority

“(a) IN GENERAL.—The Secretary shall carry out this subchapter.

“(b) FUNCTIONS.—In carrying out this subchapter, the Secretary shall consult with—

“(1) the Secretary of Defense;

“(2) the Director of National Intelligence; and

“(3) the head of such other Federal department or agency as the Secretary considers necessary.

“§ 60123. Administrative authority of Secretary

“(a) FUNCTIONS.—In order to carry out the responsibilities specified in this subchapter, the Secretary may—

“(1) grant, condition, or transfer licenses under this chapter;

“(2) seek an order of injunction or similar judicial determination from a district court of the United States with personal jurisdiction over the licensee to terminate, modify, or suspend licenses under this subchapter and to terminate licensed operations on an immediate basis, if the Secretary determines that the licensee has substantially failed to comply with any provisions of this chapter, with any terms, conditions, or restrictions of such license, or with any international obligations or national security concerns of the United States;

“(3) provide penalties for noncompliance with the requirements of licenses or regulations issued under this subchapter, including civil penalties not to exceed \$10,000 (each day of operation in violation of such licenses or regulations constituting a separate violation);

“(4) compromise, modify, or remit any such civil penalty;

“(5) issue subpoenas for any materials, documents, or records, or for the attendance and testimony of witnesses for the purpose of conducting a hearing under this section;

“(6) seize any object, record, or report pursuant to a warrant from a magistrate based on a showing of probable cause to believe that such object, record, or report was used, is being used, or is likely to be used in violation of this chapter or the requirements of a license or regulation issued thereunder; and

“(7) make investigations and inquiries and administer to or take from any person an oath, affirmation, or affidavit concerning any matter relating to the enforcement of this chapter.

“(b) REVIEW OF AGENCY ACTION.—Any applicant or licensee that makes a timely request for review of an adverse action pursuant to paragraph (1), (3), (5), or (6) of subsection (a) shall be entitled to adjudication by the Secretary on the record after an opportunity for any agency hearing with respect to such adverse action. Any final action by the Secretary under this subsection shall be subject to judicial review under chapter 7 of title 5.

“§ 60124. Authorization to conduct nongovernmental Earth observation activities

“(a) REQUIREMENT.—No person may conduct any nongovernmental Earth observation activity without an authorization issued under this subchapter.

“(b) WAIVERS.—

“(1) IN GENERAL.—The Secretary, in consultation with the Secretary of Defense, the Director of National Intelligence, and the head of such other Federal agency as the

Secretary considers appropriate, may waive a requirement under this subchapter for a nongovernmental Earth observation activity, or for a type or class of nongovernmental Earth observation activities, if the Secretary decides that granting a waiver is consistent with section 60121.

“(2) STANDARDS.—Not later than 120 days after the date of enactment of the Space Frontier Act of 2019, the Secretary shall establish standards, in consultation with the Secretary of Defense and the head of such other Federal agency as the Secretary considers appropriate, for determining de minimis Earth observation activities that would be eligible for a waiver under paragraph (1).

“(c) COVERAGE OF AUTHORIZATION.—The Secretary shall, to the maximum extent practicable, require a single authorization for a person—

“(1) to conduct multiple Earth observation activities using a single space object;

“(2) to operate multiple space objects carrying out substantially similar Earth observation activities; or

“(3) to use multiple space objects to carry out a single Earth observation activity.

“(d) APPLICATION.—

“(1) IN GENERAL.—A person seeking an authorization under this subchapter shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require for the purposes described in section 60121, including—

“(A) a description of the proposed Earth observation activity, including—

“(i) a physical and functional description of each space object;

“(ii) the orbital characteristics of each space object, including altitude, inclination, orbital period, and estimated operational lifetime; and

“(iii) a list of the names of all persons that have or will have direct operational or financial control of the Earth observation activity;

“(B) a plan to prevent orbital debris consistent with the 2001 United States Orbital Debris Mitigation Standard Practices or any subsequent revision thereof; and

“(C) a description of the capabilities of each instrument to be used to observe the Earth in the conduct of the Earth observation activity.

“(2) APPLICATION STATUS.—Not later than 14 days after the date of receipt of an application, the Secretary shall make a determination whether the application is complete or incomplete and notify the applicant of that determination, including, if incomplete, the reason the application is incomplete.

“(e) REVIEW.—

“(1) IN GENERAL.—Not later than 90 days after the date that the Secretary makes a determination under subsection (d)(2) that an application is complete, the Secretary shall review all information provided in that application and, subject to the provisions of this subsection, notify the applicant in writing whether the application was approved, with or without conditions, or denied.

“(2) APPROVALS.—The Secretary shall approve an application under this subsection if the Secretary determines that—

“(A) the Earth observation activity is consistent with the purposes described in section 60121; and

“(B) the applicant is in compliance, and will continue to comply, with this subchapter, including regulations.

“(3) DENIALS.—

“(A) IN GENERAL.—If an application under this subsection is denied, the Secretary—

“(i) shall include in the notification under paragraph (1)—

“(I) a reason for the denial; and

“(II) a description of each deficiency, including guidance on how to correct the deficiency;

“(ii) shall sign the notification under paragraph (1);

“(iii) may not delegate the duty under clause (ii); and

“(iv) shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives a copy of the notification.

“(B) INTERAGENCY REVIEW.—Not later than 3 days after the date that the Secretary makes a determination under subsection (d)(2) that an application is complete, the Secretary shall consult with the head of each Federal department and agency described in section 60122(b) and if any head of such Federal department or agency does not support approving the application—

“(i) that head of another Federal department or agency—

“(I) not later than 60 days after the date of the consultation, shall notify the Secretary, in writing, of the reason for withholding support, including a description of each deficiency and guidance on how to correct the deficiency;

“(II) shall sign the notification under subclause (I); and

“(III) may not delegate the duty under subclause (II), except the Secretary of Defense may delegate the duty under subclause (II) to an Under Secretary of Defense; and

“(ii) subject to all applicable laws, the Secretary shall include the notification under clause (i) in the notification under paragraph (1), including classified information if—

“(I) the Secretary of Defense or Director of National Intelligence, as appropriate, determines that disclosure of the classified information is appropriate; and

“(II) the applicant has the required security clearance for that classified information.

“(C) INTERAGENCY ASSENTS.—If the head of another Federal department or agency does not notify the Secretary under subparagraph (B)(i)(I) within the time specified in that subparagraph, that head of another Federal department or agency shall be deemed to have assented to the application.

“(D) INTERAGENCY DISSENTS.—If, during the review of an application under paragraph (1), a head of a Federal department or agency described in subparagraph (B) disagrees with the Secretary or the head of another Federal department or agency described in subparagraph (B) with respect to a deficiency under this subsection, the Secretary shall submit the matter to the President, who shall resolve the dispute before the applicable deadline under paragraph (1).

“(E) DEFICIENCIES.—The Secretary shall—

“(i) provide each applicant under this paragraph with a reasonable opportunity—

“(I) to correct each deficiency identified under subparagraph (A)(i)(II); and

“(II) to resubmit a corrected application for reconsideration; and

“(ii) not later than 30 days after the date of receipt of a corrected application under clause (i)(II), make a determination whether to approve the application or not, in consultation with—

“(I) each head of another Federal department or agency that submitted a notification under subparagraph (B); and

“(II) the head of such other Federal department or agency as the Secretary considers necessary.

“(F) IMPROPER BASIS FOR DENIAL.—

“(i) COMPETITION.—The Secretary shall not deny an application under this subsection in order to protect any existing Earth observation activity from competition.

“(ii) CAPABILITIES.—The Secretary shall not, to the maximum extent practicable, deny an application under this subsection based solely on the capabilities of the Earth observation activity if those capabilities—

“(I) are commercially available; or

“(II) are reasonably expected to be made commercially available, not later than 3 years after the date of the application, in the international or domestic marketplace.

“(iii) APPLICABILITY.—The prohibition under clause (ii)(II) shall apply whether the marketplace products and services originate from the operation of aircraft, uncrewed aircraft, or other platforms or technical means or are assimilated from a variety of data sources.

“(4) DEADLINE.—If the Secretary does not notify an applicant in writing before the applicable deadline under paragraph (1), the Secretary shall, not later than 1 business day after the date of the applicable deadline, notify the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives of the status of the application, including the reason the deadline was not met.

“(5) EXPEDITED REVIEW PROCESS.—Subject to paragraph (2) of this section and section 60122(b), the Secretary may modify the requirements under this subsection, as the Secretary considers appropriate, to expedite the review of an application that seeks to conduct an Earth observation activity that is substantially similar to an Earth observation activity already licensed under this subchapter.

“(f) ADDITIONAL REQUIREMENTS.—An authorization issued under this subchapter shall require the authorized person—

“(1) to be in compliance with this subchapter;

“(2) to notify the Secretary of any significant change in the information contained in the application; and

“(3) to make available to the government of any country, including the United States, unenhanced data collected by the Earth observation system concerning the territory under the jurisdiction of that government as soon as such data are available and on reasonable commercial terms and conditions.

“(g) PROHIBITION ON RETROACTIVE CONDITIONS.—

“(1) IN GENERAL.—Except as provided in paragraph (3), the Secretary may not modify any condition on, or add any condition to, an authorization under this subchapter after the date of the authorization.

“(2) RULE OF CONSTRUCTION.—Nothing in this section shall be constructed to prohibit the Secretary from removing a condition on an authorization under this subchapter.

“(3) INTERAGENCY REVIEW.—

“(A) IN GENERAL.—Subject to subparagraphs (B) and (E), the Secretary or the head of a Federal department or agency described in section 60122(b) may, without delegation, propose the modification or addition of a condition to an authorization under this subchapter after the date of the authorization.

“(B) CONSULTATION REQUIREMENT.—Prior to making the modification or addition under subparagraph (A), the Secretary or the applicable head of the Federal department or agency shall consult with the head of each of the other Federal departments and agencies described in section 60122(b) and if any head of such Federal department or agency does not support such modification or addition that head of another Federal department or agency—

“(i) not later than 60 days after the date of the consultation, shall notify the Secretary, in writing, of the reason for withholding support;

“(ii) shall sign the notification under clause (i); and

“(iii) may not delegate the duty under clause (ii).

“(C) INTERAGENCY ASSENTS.—If the head of another Federal department or agency does not notify the Secretary under subparagraph (B)(i) within the time specified in that subparagraph, that head of another Federal department or agency shall be deemed to have assented to the modification or addition under subparagraph (A).

“(D) INTERAGENCY DISSENTS.—If the head of a Federal department or agency described in subparagraph (A) disagrees with the Secretary or the head of another Federal department or agency described in subparagraph (A) with respect to such modification or addition under this paragraph, the Secretary shall submit the matter to the President, who shall resolve the dispute.

“(E) NOTICE.—Prior to making a modification or addition under subparagraph (A), the Secretary or the head of the Federal department or agency, as applicable, shall—

“(i) provide notice to the licensee of the reason for the proposed modification or addition, including, if applicable, a description of any deficiency and guidance on how to correct the deficiency; and

“(ii) provide the licensee a reasonable opportunity to correct a deficiency identified in clause (i).

“§ 60125. Annual reports

“(a) IN GENERAL.—Not later than 180 days after the date of enactment of the Space Frontier Act of 2019, and annually thereafter, the Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives a report on the progress in implementing this subchapter, including—

“(1) a list of all applications received or pending in the previous calendar year and the status of each such application;

“(2) notwithstanding paragraph (4) of section 60124(e), a list of all applications, in the previous calendar year, for which the Secretary missed the deadline under paragraph (1) of that section, including the reasons the deadline was not met; and

“(3) a description of all actions taken by the Secretary under the administrative authority granted under section 60123.

“(b) CLASSIFIED ANNEXES.—Each report under subsection (a) may include classified annexes as necessary to protect the disclosure of sensitive or classified information.

“(c) CESSATION OF EFFECTIVENESS.—This section ceases to be effective September 30, 2021.

“§ 60126. Regulations

“The Secretary may promulgate regulations to implement this subchapter.

“§ 60127. Relationship to other executive agencies and laws

“(a) EXECUTIVE AGENCIES.—Except as provided in this subchapter or chapter 509, or any activity regulated by the Federal Communications Commission under the Communications Act of 1934 (47 U.S.C. 151 et seq.), a person is not required to obtain from an executive agency a license, approval, waiver, or exemption to conduct a nongovernmental Earth observation activity.

“(b) RULE OF CONSTRUCTION.—This subchapter does not affect the authority of—

“(1) the Federal Communications Commission under the Communications Act of 1934 (47 U.S.C. 151 et seq.); or

“(2) the Secretary of Transportation under chapter 509 of this title.

“(c) NONAPPLICATION.—This subchapter does not apply to any space activity the United States Government carries out for the Government.”; and

(3) by amending section 60147 to read as follows:

“§ 60147. Consultation

“(a) CONSULTATION WITH SECRETARY OF DEFENSE.—The Landsat Program Management shall consult with the Secretary of Defense on all matters relating to the Landsat Program under this chapter that affect national security. The Secretary of Defense shall be responsible for determining those conditions, consistent with this chapter, necessary to meet national security concerns of the United States and for notifying the Landsat Program Management of such conditions.

“(b) CONSULTATION WITH SECRETARY OF STATE.—

“(1) IN GENERAL.—The Landsat Program Management shall consult with the Secretary of State on all matters relating to the Landsat Program under this chapter that affect international obligations. The Secretary of State shall be responsible for determining those conditions, consistent with this chapter, necessary to meet international obligations and policies of the United States and for notifying the Landsat Program Management of such conditions.

“(2) INTERNATIONAL AID.—Appropriate United States Government agencies are authorized and encouraged to provide remote sensing data, technology, and training to developing nations as a component of programs of international aid.

“(3) REPORTING DISCRIMINATORY DISTRIBUTION.—The Secretary of State shall promptly report to the Landsat Program Management any instances outside the United States of discriminatory distribution of Landsat data.

“(c) STATUS REPORT.—The Landsat Program Management shall, as often as necessary, provide to Congress complete and updated information about the status of ongoing operations of the Landsat system, including timely notification of decisions made with respect to the Landsat system in order to meet national security concerns and international obligations and policies of the United States Government.”.

(b) TABLE OF CONTENTS.—The table of contents of chapter 601 of title 51, United States Code, is amended by striking the items relating to subchapter III and inserting the following:

“SUBCHAPTER III—AUTHORIZATION OF NON-GOVERNMENTAL EARTH OBSERVATION ACTIVITIES

“60121. Purposes.

“60122. General authority.

“60123. Administrative authority of Secretary.

“60124. Authorization to conduct nongovernmental Earth observation activities.

“60125. Annual reports.

“60126. Regulations.

“60127. Relationship to other executive agencies and laws.”.

(c) RULES OF CONSTRUCTION.—

(1) Nothing in this section or the amendments made by this section shall affect any license, or application for a license, to operate a private remote sensing space system that was made under subchapter III of chapter 601 of title 51, United States Code (as in effect before the date of enactment of this Act), before the date of enactment of this Act. Such license shall continue to be subject to the requirements to which such license was subject under that chapter as in effect on the day before the date of enactment of this Act.

(2) Nothing in this section or the amendments made by this section shall affect the prohibition on the collection and release of detailed satellite imagery relating to Israel under section 1064 of the National Defense

Authorization Act for Fiscal Year 1997 (51 U.S.C. 60121 note).

SEC. 202. RADIO-FREQUENCY MAPPING REPORT.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary of Commerce, in consultation with the Secretary of Defense and the Director of National Intelligence, shall complete and submit a report on space-based radio-frequency mapping to—

(1) the Committee on Commerce, Science, and Transportation of the Senate;

(2) the Select Committee on Intelligence of the Senate;

(3) the Committee on Armed Services of the Senate;

(4) the Committee on Science, Space, and Technology of the House of Representatives;

(5) the Permanent Select Committee on Intelligence of the House of Representatives; and

(6) the Committee on Armed Services of the House of Representatives.

(b) CONTENTS.—The report under subsection (a) shall include—

(1) a discussion of whether a need exists to regulate space-based radio-frequency mapping;

(2) a description of any immitigable impacts of space-based radio-frequency mapping on national security, United States competitiveness and space leadership, or Constitutional rights;

(3) any recommendations for additional regulatory action regarding space-based radio-frequency mapping;

(4) a detailed description of the costs and benefits of the recommendations described in paragraph (3); and

(5) an evaluation of—

(A) whether the development of voluntary consensus industry standards in coordination with the Department of Defense is more appropriate than issuing regulations with respect to space-based radio-frequency mapping; and

(B) whether existing law, including regulations and policies, could be applied in a manner that prevents the need for additional regulation of space-based radio-frequency mapping.

(c) FORM.—The report under subsection (a) shall be submitted in unclassified form, but may include a classified annex.

TITLE III—MISCELLANEOUS

SEC. 301. PROMOTING FAIRNESS AND COMPETITIVENESS FOR NASA PARTNERSHIP OPPORTUNITIES.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) fair access to available NASA assets and services on a reimbursable, noninterference, equitable, and predictable basis is advantageous in enabling the United States commercial space industry;

(2) NASA should continue to promote fairness to all parties and ensure best value to the Federal Government in granting use of NASA assets, services, and capabilities in a manner that contributes to NASA's missions and objectives; and

(3) NASA should continue to promote small business awareness and participation through advocacy and collaborative efforts with internal and external partners, stakeholders, and academia.

(b) GUIDANCE FOR SMALL BUSINESS PARTICIPATION.—The Administrator of NASA shall—

(1) provide opportunities for the consideration of small business concerns during public-private partnership planning processes and in public-private partnership plans;

(2) invite the participation of each relevant director of an Office of Small and Disadvantaged Business Utilization under section 15(k) of the Small Business Act 915 U.S.C. 644(k) in public-private partnership planning

processes and provide the director access to public-private partnership plans;

(3) not later than 90 days after the date of enactment of this Act—

(A) identify and establish a list of all NASA assets, services, and capabilities that are available, or will be available, for public-private partnership opportunities; and

(B) make the list under subparagraph (A) available on NASA's website, in a searchable format;

(4) periodically as needed, but not less than once per year, update the list and website under paragraph (3); and

(5) not later than 180 days after the date of enactment of this Act, develop a policy and issue guidance for a consistent, fair, and equitable method for scheduling and establishing priority of use of the NASA assets, services, and capabilities identified under this subsection.

(c) STRENGTHENING SMALL BUSINESS AWARENESS.—Not later than 180 days after the date of enactment of this Act, the Administrator of NASA shall designate an official at each NASA Center—

(1) to serve as an advocate for small businesses within the office that manages partnerships at each Center; and

(2) to provide guidance to small businesses on how to participate in public-private partnership opportunities with NASA.

SEC. 302. LEASE OF NON-EXCESS PROPERTY.

Section 20145(g) of title 51, United States Code, is amended by striking “December 31, 2018” and inserting “December 31, 2019”.

SEC. 303. MAINTAINING A NATIONAL LABORATORY IN SPACE.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the United States national laboratory in space, which currently consists of the United States segment of the ISS (designated a national laboratory under section 70905 of title 51, United States Code)—

(A) benefits the scientific community and promotes commerce in space;

(B) fosters stronger relationships among NASA and other Federal agencies, the private sector, and research groups and universities;

(C) advances science, technology, engineering, and mathematics education through utilization of the unique microgravity environment; and

(D) advances human knowledge and international cooperation;

(2) after the ISS is decommissioned, the United States should maintain a national microgravity laboratory in space;

(3) in maintaining a national microgravity laboratory described in paragraph (2), the United States should make appropriate accommodations for different types of ownership and operational structures for the ISS and future space stations;

(4) the national microgravity laboratory described in paragraph (2) should be maintained beyond the date that the ISS is decommissioned and, if possible, in cooperation with international space partners to the extent practicable; and

(5) NASA should continue to support fundamental science research on future platforms in low-Earth orbit and cis-lunar space, short duration suborbital flights, drop towers, and other microgravity testing environments.

(b) REPORT.—The Administrator of NASA shall produce, in coordination with the National Space Council and other Federal agencies as the Administrator deems relevant, a report detailing the feasibility of establishing a microgravity national laboratory Federally Funded Research and Development Center to undertake the work related to the study and utilization of in-space conditions.

SEC. 304. PRESENCE IN LOW-EARTH ORBIT.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) it is in the national and economic security interests of the United States to maintain a continuous human presence in low-Earth orbit; and

(2) low-Earth orbit should be utilized as a testbed to advance human space exploration, scientific discoveries, and United States economic competitiveness and commercial participation.

(b) HUMAN PRESENCE REQUIREMENT.—NASA shall continuously maintain the capability for a continuous human presence in low-Earth orbit through and beyond the useful life of the ISS.

SEC. 305. CONTINUATION OF THE ISS.

(a) CONTINUATION OF THE INTERNATIONAL SPACE STATION.—Section 501(a) of the National Aeronautics and Space Administration Authorization Act of 2010 (42 U.S.C. 18351(a)) is amended by striking “2024” and inserting “2030”.

(b) MAINTENANCE OF THE UNITED STATES SEGMENT AND ASSURANCE OF CONTINUED OPERATIONS OF THE INTERNATIONAL SPACE STATION.—Section 503(a) of the National Aeronautics and Space Administration Authorization Act of 2010 (42 U.S.C. 18353(a)) is amended by striking “2024” and inserting “2030”.

(c) RESEARCH CAPACITY ALLOCATION AND INTEGRATION OF RESEARCH PAYLOADS.—Section 504(d) of the National Aeronautics and Space Administration Authorization Act of 2010 (42 U.S.C. 18354(d)) is amended by striking “2024” each place it appears and inserting “2030”.

(d) MAINTAINING USE THROUGH AT LEAST 2030.—Section 70907 of title 51, United States Code, is amended—

(1) in the heading, by striking “2024” and inserting “2030”; and

(2) by striking “2024” each place it appears and inserting “2030”.

SEC. 306. UNITED STATES POLICY ON ORBITAL DEBRIS.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) existing guidelines for the mitigation of orbital debris may not be adequate to ensure long term usability of the space environment for all users; and

(2) the United States should continue to exercise a leadership role in developing orbital debris prevention standards that can be used by all space-faring nations.

(b) POLICY OF THE UNITED STATES.—It is the policy of the United States to have consistent standards across Federal agencies that minimize the risks from orbital debris in order to—

(1) protect the public health and safety;

(2) protect humans in space;

(3) protect the national security interests of the United States;

(4) protect the safety of property;

(5) protect space objects from interference; and

(6) protect the foreign policy interests of the United States.

SEC. 307. LOW-EARTH ORBIT COMMERCIALIZATION PROGRAM.

(a) PROGRAM AUTHORIZATION.—The Administrator of NASA may establish a low-Earth orbit commercialization program to encourage the fullest commercial use and development of space by the private sector of the United States.

(b) CONTENTS.—The program under subsection (a) may include—

(1) activities to stimulate demand for human space flight products and services in low-Earth orbit;

(2) activities to improve the capability of the ISS to accommodate commercial users; and

(3) subject to subsection (c), activities to accelerate the development of commercial space stations or commercial space habitats.

(c) CONDITIONS.—

(1) COST SHARE.—The Administrator shall give priority to an activity under subsection (b)(3) in which the private sector entity conducting the activity provides a share of the cost to develop and operate the activity.

(2) COMMERCIAL SPACE HABITAT.—The Administration may not engage in an activity under subsection (b)(3) until after the date that the Administrator of NASA awards a contract for the use of a docking port on the ISS.

(d) REPORTS.—Not later than 30 days after the date that an award or agreement is made under subsection (b)(3), the Administrator of NASA shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives a report on the development of the commercial space station or commercial space habitat, as applicable, including a business plan for how the activity will—

(1) meet NASA's future requirements for low-Earth orbit human space flight services; and

(2) satisfy the non-Federal funding requirement under subsection (c)(1).

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Administrator of NASA to carry out a low-Earth commercialization program under this section \$150,000,000 for fiscal year 2020.

SEC. 308. BUREAU OF SPACE COMMERCE.

(a) IN GENERAL.—Chapter 507 of title 51, United States Code, is amended—

(1) in the heading, by striking “OFFICE” and inserting “BUREAU”;

(2) by amending section 50701 to read as follows:

“§ 50701. Definition of Bureau

“In this chapter, the term ‘Bureau’ means the Bureau of Space Commerce established in section 50702 of this title.”;

(3) in section 50702—

(A) by amending subsection (a) to read as follows:

“(a) IN GENERAL.—There is established within the Department of Commerce a Bureau of Space Commerce.”;

(B) by amending subsection (b) to read as follows:

“(b) ASSISTANT SECRETARY.—The Bureau shall be headed by an Assistant Secretary for Space Commerce, to be appointed by the President with the advice and consent of the Senate and compensated at level II or III of the Executive Schedule, as determined by the Secretary of Commerce. The Assistant Secretary shall report directly to the Secretary of Commerce.”;

(C) in subsection (c)—

(i) in the matter preceding paragraph (1), by striking “Office” and inserting “Bureau”;

(ii) in paragraph (2), by inserting “, including activities licensed under chapter 601 of this title” before the semicolon; and

(iii) in paragraph (5), by striking “Positioning,” and inserting “Positioning,”; and

(D) in subsection (d)—

(i) in the heading, by striking “DIRECTOR” and inserting “ASSISTANT SECRETARY”;

(ii) in the matter preceding paragraph (1)—

(I) by striking “Director” and inserting “Assistant Secretary”; and

(II) by striking “Office shall” and inserting “Bureau shall, under the direction and supervision of the Secretary.”;

(iii) by redesignating paragraphs (1) through (7) as paragraphs (3) through (9), respectively; and

(iv) by inserting before paragraph (3), as redesignated, the following:

“(1) to oversee the issuing of licenses under chapter 601 of this title;

“(2) coordinating Department policy impacting commercial space activities and working with other executive agencies to promote policies that advance commercial space activities;”;

(v) in paragraph (8), as redesignated, by inserting “, consistent with the international obligations, foreign policy, and national security interests of the United States” before the semicolon;

(4) in section 50703—

(A) by striking “Office” and inserting “Bureau”;

(B) by striking “Committee on Science and Technology of the House of Representatives” and inserting “Committee on Science, Space, and Technology of the House of Representatives”;

(5) by adding at the end the following:

“§ 50704. Authorization of appropriations

“There is authorized to be appropriated to the Secretary of Commerce to carry out this chapter \$10,000,000 for each of fiscal years 2020 through 2024.”.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) TABLE OF CONTENTS.—The table of contents of chapter 507 of title 51, United States Code, is amended—

(A) in the item relating to section 50701, by striking “Office” and inserting “Bureau”; and

(B) by adding after the item relating to section 50703 the following:

“50704. Authorization of appropriations.”.

(2) TABLE OF CHAPTERS.—The table of chapters of title 51, United States Code, is amended in the item relating to chapter 507 by striking “Office” and inserting “Bureau”.

(3) COOPERATION WITH FORMER SOVIET REPUBLICS.—Section 218 of the National Aeronautics and Space Administration Authorization Act, Fiscal Year 1993 (51 U.S.C. 50702 note) is amended by striking “Office” each place it appears and inserting “Bureau”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. SMITH) and the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. SMITH of Texas. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and to include extraneous material on S. 3277, the bill now under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. SMITH of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the Space Frontier Act is a missed opportunity, despite months of negotiations. The House successfully added some positive provisions to the bill, including:

Increased the stature of the Department of Commerce Office of Space Commerce to a Bureau of Space Commerce, led by a Senate-confirmed Assistant Secretary of Commerce;

Reduced from 120 to 90 days a determination for remote sensing applications;

Remote sensing applications cannot be denied if a product will be commercially available within 3 years;

Enhanced deadline enforcement for remote sensing applications;

Included a low-Earth orbit commercialization program authorized at the House Science, Space, and Technology Committee's NASA reauthorization level of \$150 million.

This bill contains some improvements over current commercial space law, but many bold reforms in the American Space Commerce Free Enterprise Act, which passed the House unanimously, were not included in this package.

We have not done enough to encourage commercial space activity, which has the potential to transform research, development, discovery, and access to space.

While remote sensing reform is marginally improved over current law in the original version of the Space Frontier Act, it doesn't go far enough. We set out to change how we think about remote sensing, a growing, constantly advancing, and increasingly commonplace industry that should be free to act unless there is a good reason to prevent that. Instead, this bill only tinkers around the edge of a three-decade out-of-date law.

This legislation will keep the government in strict control of American companies' space access and actions, discouraging businesses, and damaging American competitiveness and leadership in space.

Meanwhile, other countries are encouraging technology development in an effort to overtake us and grab market share from American companies. This represents a missed opportunity for American businesses that is being stifled by parochial government interests.

In the bill before us, there is still room for government employees to ignore the deadline enforcement mechanisms and drag out decisions indefinitely. The bill also doesn't guarantee that remote sensing companies will be given all relevant information explaining why their applications were not approved.

There is also less of an assumption of approval for a remote sensing license application than was included in my bill. Who knows what capability will be quashed because we didn't fully empower private industry. Congress must remain vigilant in its oversight of remote sensing licensing, and any abuse of the approval process should be challenged.

My biggest disappointment is that this bill does not establish a self-certification regime for private space missions. American space companies are moving overseas because current laws here don't enable them to conduct business.

The House-passed bill intentionally made it easier to approve private space missions. Regrettably, the Senate killed these provisions.

The Bureau of Space Commerce created in this bill needs to use its authority to the maximum extent possible to

promote, support, and approve private space missions.

Mr. Speaker, there is much work left to be done to bolster American competitiveness and foster innovation, and I hope Congress will act next year to continue our leadership in space.

With this hope and expectation, I support this bill, and I reserve the balance of my time.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in reluctant support of S. 3277, the Space Frontier Act of 2019.

I say “reluctant” because the process that brought us to this point is extremely disappointing. Many of the provisions of this bill have not been seriously vetted by the Science, Space, and Technology Committee. I doubt very much whether they were at all vetted by anyone in the Senate. And this bill makes some potentially significant changes to space policy in the United States.

□ 1145

This is no way to legislate.

However, there are some good things in the bill. I very much appreciate that the end date for the International Space Station is pushed back to 2030. Now, I don't know if that date is the proper one, but I do know that the arbitrary decision made by the Trump administration to end the International Space Station by 2024 was wrong. As we move into the next Congress, this is something that I hope to be looking into.

I am also glad to see commercial remote sensing language that will help the industry grow, while still considering the government's legitimate security interests.

In short, I will be voting for this bill, in part, because I support the development of commercial space activities and want them to flourish, while still protecting the public interest.

However, as the presumptive chair of the Science, Space, and Technology Committee in the next Congress, I certainly will be revisiting some of the other items in the bill. For instance, this bill creates a \$150 million office at NASA and doesn't specify where the money is to come from within NASA, or provide any real specifics to how it will be spent.

I would also note that NASA's vital education programs receive less money than that, so this is a major new initiative and it is something that requires review.

I could go on, but, unfortunately, it is clear that there is not going to be time today for a thoughtful discussion of any concerns with the bill or any opportunity to address them. That will have to wait until we have a new Congress.

I plan to submit a longer statement in the RECORD which will highlight some of my concerns. For now, it is enough to say that I support NASA's

mission and a robust U.S. space industry and, for that reason, I support this bill, in spite of the awful process that got us here.

Mr. Speaker, I reserve the balance of my time.

Mr. SMITH of Texas. Mr. Speaker, I yield myself such time as I may consume.

I have no other requests for time on this side, so I am prepared to yield back if the gentlewoman from Texas is prepared to yield back.

Before I do, I just want to thank the ranking member of the Science, Space, and Technology Committee, EDDIE BERNICE JOHNSON of Texas, who is, obviously, a Texas colleague and a long-time friend, for all of her good work on the Science, Space, and Technology Committee while I have been chairman of that committee. She has been instrumental in our taking to the House floor and having passed on the House floor 35 bills. Of those 35 bills, 33 have been bipartisan, and that is largely due to her contributions and her efforts to try to make those bills bipartisan.

So I do appreciate having worked with her for the last 6 years. I wish her well next year, and I want to congratulate her on being the next chairman of the Science, Space, and Technology Committee.

Mr. Speaker, I reserve the balance of my time.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I have no further requests for time. But I would like to say, on behalf of my retiring chair, that it has been a challenge. I have learned a lot. I respect and like him. I wish him well for his future, and I hope that he will visit us now and then to see that we will have a little bit of a change in the committee.

I hope that we will pass this bill.

Mr. Speaker, I yield back the balance of my time.

Mr. SMITH of Texas. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. SMITH) that the House suspend the rules and pass the bill, S. 3277.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. MASSIE. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

NATIONAL FLOOD INSURANCE PROGRAM COMPETITION AND EXTENSION ACT OF 2018

Mr. HENSARLING. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 7388) to extend the National Flood Insurance Program, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 7388

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “National Flood Insurance Program Competition and Extension Act of 2018”.

SEC. 2. REAUTHORIZATION OF NATIONAL FLOOD INSURANCE PROGRAM.

(a) FINANCING.—Section 1309(a) of the National Flood Insurance Act of 1968 (42 U.S.C. 4016(a)) is amended by striking “December 7, 2018” and inserting “May 31, 2019”.

(b) PROGRAM EXPIRATION.—Section 1319 of the National Flood Insurance Act of 1968 (42 U.S.C. 4026) is amended by striking “December 7, 2018” and inserting “May 31, 2019”.

(c) RETROACTIVE EFFECTIVE DATE.—If this Act is enacted after December 21, 2018, the amendments made by subsections (a) and (b) shall take effect as if enacted on December 21, 2018.

SEC. 3. ELIMINATION OF NON-COMPETE REQUIREMENT.

Section 1345 of the National Flood Insurance Act of 1968 (42 U.S.C. 4081) is amended by adding at the end the following new subsection:

“(f) AUTHORITY TO PROVIDE OTHER FLOOD COVERAGE.—

“(1) IN GENERAL.—The Administrator may not, as a condition of participating in the Write Your Own Program (as such term is defined in section 100202(a) of the Biggert-Waters Flood Insurance Reform Act of 2012 (42 U.S.C. 4004(a))) or in otherwise participating in the utilization by the Administrator of the facilities and services of insurance companies, insurers, insurance agents and brokers, and insurance adjustment organizations pursuant to the authority in this section, nor as a condition of eligibility to engage in any other activities under the National Flood Insurance Program under this title, restrict any such company, insurer, agent, broker, or organization from offering and selling private flood insurance (as such term is defined in section 102(b) of the Flood Disaster Protection Act of 1973 (42 U.S.C. 4012a(b))).

“(2) FINANCIAL ASSISTANCE; SUBSIDY ARRANGEMENT.—After the date of the enactment of this subsection—

“(A) the Administrator may not include in any agreement entered into with any insurer for participation in the Write Your Own Program any provision establishing a condition prohibited by paragraph (1), including the provisions of Article XIII of the Federal Emergency Management Agency, Federal Insurance Administration, Financial Assistance/Subsidy Arrangement, as adopted pursuant to section 62.23(a) of title 44 of the Code of Federal Regulations; and

“(B) any such provision in any such agreement entered into before such date of enactment shall not have any force or effect, and the Administrator may not take any action to enforce such provision.”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. HENSARLING) and the gentlewoman from California (Ms. MAXINE WATERS) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. HENSARLING. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on this bill.